

Strategic Plan Status Report
Third Quarter 2005/2006
January 1, 2006 thru March 31, 2006
Legislation and Regulation Committee

Goal 3:	<p>Advocate legislation and promulgate regulations that advance the vision and mission of the Board of Pharmacy.</p> <p>Outcome: Improve the health and safety of Californians.</p>
Objective 3.1:	<p>Annually identify and respond with legislative changes to keep pharmacy laws current and consistent with the board's mission.</p> <p>Measure: 100 percent successful enactment of promoted legislative changes.</p>
Tasks:	<ol style="list-style-type: none"> 1. Secure extension of board's sunset date. <ul style="list-style-type: none"> ▪ Completed September 25, 2003 - Chapter 539, Statutes of 2003 (SB 361) 2. Sponsor legislation to strengthen and update licensing requirements for pharmacy technicians. <ul style="list-style-type: none"> ▪ Completed September 25, 2003 - Chapter 539, Statutes of 2003 (SB 361) 3. Sponsor legislation to add enforcement options for non-compliance issues. <ul style="list-style-type: none"> ▪ Completed September 25, 2003 - Chapter 539, Statutes of 2003 (SB 361) 4. Sponsor legislation to update pharmacy law to standardize terminology regarding cancellation of licenses, waiving pharmacy law requirements during declared emergencies. <ul style="list-style-type: none"> ▪ Completed September 25, 2003 - Chapter 539, Statutes of 2003 (SB 361) 5. Advocate the board's role and its positions regarding pharmacists' care and dispensing of dangerous drugs and devices. <ul style="list-style-type: none"> ▪ <u>Advocacy:</u> AB 320, AB 1826, AB 1960, AB 2184, AB 2660, AB 2682, SB 1159, AB 1196, SB 1427, SB 1563, SB 1735, SB 151, SB 175, SB 361, SB 490, SB 545, SB 774 ▪ <u>Technical Assistance:</u> AB 262, AB 746, AB 1196, AB 1957, AB 2125, SB 151, SB 175, SB 292, SB 361, SB 490, SB 545, SB 774, SB 907, SB 1149, SB 1333 6. Sponsor clean-up language to B & P Code section 4312. <ul style="list-style-type: none"> ▪ Completed September 25, 2003 - Chapter 539, Statutes of 2003 (SB 361) 7. Sponsor public meetings 4 times a year to solicit comments on areas needing legislative changes. <ul style="list-style-type: none"> ▪ Public meetings held on March 27, 2003 and September 11, 2003. ▪ Public meeting held on March 30, 2004. ▪ Public meeting held on October 25, 2005. 8. Sponsor legislation to strengthen consumer protections in wholesale transactions. <ul style="list-style-type: none"> ▪ Completed 9/29/2004 – Chapters 857 and 887, Statutes of 2004. 9. Sponsor legislation to address licensing issues related to the UC Davis Veterinary Medical Teaching Hospital. <ul style="list-style-type: none"> ▪ Governor signed SB 1913 September 22, 2004. 10. Sponsor legislation to define "compounding and establish standards for pharmacies that compound drug products for patients. <ul style="list-style-type: none"> ▪ AB 595 (Negrete McLeod) Pharmacy: Compounding of Prescription Drugs. Introduced February 17, 2005.

	<p>11. Support for Senate B&P Committee Omnibus bill that includes changes to the following code sections:</p> <ul style="list-style-type: none"> ▪ B&P 4005 & 4206, 4053, 4127.5, 4205 & 4400, 4231 & 4232, 4360-4373, 4023.5, 4038, 4114, 4115, 4115.5 & 4202, 4315, 4104 ▪ SB 1111 (B&P Com.) Omnibus Bill. Chapter 621, Statutes of 2005. <p>12. Sponsor legislation to update the definition of a pharmacy, nonresident pharmacy, and the professional practice of pharmacy.</p> <ul style="list-style-type: none"> ▪ AB 2408 (Negrete McLeod) Pharmacists, pharmacies, and nonresident pharmacies. Amended March 27, 2006 <p>13. Support for Senate B&P Committee Omnibus bill that includes changes to the following code sections:</p> <ul style="list-style-type: none"> ▪ B&P B&P 4104, B&P 4162 , B&P 4180-4182 and 4190-4192 ▪ SB 1476 (B&P Com.) Omnibus Bill. Amended April 17, 2006.
Objective 3.2:	<p>Annually identify and respond with regulatory changes to keep pharmacy regulations current and consistent with the board's mission.</p> <p>Measure: Percentage successful enactment of promoted regulatory changes.</p>
Tasks:	<ol style="list-style-type: none"> 1. Strengthen standards for compounding sterile injectable drug products. <ul style="list-style-type: none"> ▪ Completed. Regulation effective October 29, 2004. 2. Authorize the executive officer the authority to issue citations and fines. <ul style="list-style-type: none"> ▪ Completed. Regulation effective October 11, 2003. 3. Eliminate the clerk typist ratio. <ul style="list-style-type: none"> ▪ Completed. Regulation effective October 3, 2004. 4. Allow pharmacists to be pharmacist-in-charge of two locations simultaneously. <ul style="list-style-type: none"> ▪ Completed. Regulation effective October 2, 2004. 5. Update pharmacy self-assessment form. <ul style="list-style-type: none"> ▪ January 2005 – Board adopted 6. Allow central filling by hospital pharmacies. <ul style="list-style-type: none"> ▪ Completed. Regulation effective October 22, 2004. 7. Revise regulations concerning electronic prescribing to conform to AB 2245, and require that the pharmacist confirm the authenticity of any electronic prescription in which there is an uncertainty or ambiguity. <ul style="list-style-type: none"> ▪ Completed. Regulation effective October 22, 2004. 8. Modify patient notification provision of the quality assurance regulation to require notification only if the error results in the medication being administered to the patient or a clinically significant delay in therapy. <ul style="list-style-type: none"> ▪ Completed. Regulation effective October 22, 2004. 9. Require pharmacies using a common electronic file to adopt policies to ensure confidentiality of patient information. <ul style="list-style-type: none"> ▪ Completed. Regulation effective October 22, 2004. 10. Update pharmacy technician regulations to conform to SB 361. <ul style="list-style-type: none"> ▪ Completed. Regulation effective October 22, 2004. 11. Update pharmacist licensure regulations to conform to SB 361. <ul style="list-style-type: none"> ▪ Completed. Regulation effective October 22, 2004. 12. Complete a Section 100 filing to clean up regulations in conformity with recent legislation. 13. Omnibus rule making package covering the following areas: abandonment of application files, pharmacist identification, pharmacy self assessment, pharmacy practice, recognized schools of pharmacy, application of pharmacist examination and licensure, supervision of intern pharmacists, intern pharmacist, requirements for examination, pharmacist candidates, continuing education, fees, partial filling of

	<p>schedule II prescriptions, foreign graduates.</p> <ul style="list-style-type: none"> ▪ Completed. Regulation effective October 7, 2005. <p>14. Revise regulations regarding the posting of intern pharmacist addresses on the Board's Web site.</p> <ul style="list-style-type: none"> ▪ Regulation noticed on August 16, 2005. <p>15. Allow the use of automated dispensing devices to dispense refill prescriptions.</p> <ul style="list-style-type: none"> ▪ Regulation noticed on August 16, 2005. <p>16. Permit the use of drop boxes to drop off prescriptions.</p> <ul style="list-style-type: none"> ▪ Regulation noticed on August 16, 2005. <p>17. Create wholesaler surety bond forms.</p> <ul style="list-style-type: none"> ▪ OAL Approved \$100,000 bond form in December 2005 ▪ OAL Approved \$25,000 bond form on January 24, 2006 <p>18. Allow the use of automated dispensing devices to dispense refill prescriptions.</p> <ul style="list-style-type: none"> ▪ Regulation noticed on February 24, 2006. <p>19. Allow the use of pharmacy technicians in hospital inpatient pharmacies to check other pharmacy technicians filling floor stock, ward stock and unit dose cassettes.</p> <ul style="list-style-type: none"> ▪ Regulation Noticed on March 3, 2006.
Objective 3.3:	<p>Review 5 areas of pharmacy law for relevancy, currency and value for consumer protection by June 30, 2005.</p> <p>Measure: Number of areas of pharmacy law reviewed.</p>
Tasks:	<ol style="list-style-type: none"> 1. Evaluate electronic prescribing laws involving controlled substances. 2. Evaluate the prescribing and dispensing of veterinary drugs. <ol style="list-style-type: none"> a. Completed – Chapter 250, Statutes of 2003 (SB 175) 3. Evaluate group dispensing by prescribers. <ol style="list-style-type: none"> b. August 2003 - Draft legislation developed in concert with the Medical Board. Awaiting board action. 4. Evaluate pharmacist intern statutes and regulations. <ol style="list-style-type: none"> c. December 2003 – Draft legislation and regulations prepared and presented to the Licensing Committee. d. January 2004 – Draft legislation and regulations approved by the board. e. February 2004 – Rulemaking noticed on approved regulations. f. March 2004 – Statutory provisions introduced in SB 1913. Governor signed SB 1913 on September 22, 2004. 5. Evaluated out of state distributor requirements. <ol style="list-style-type: none"> g. Completed – Chapter 725, Statutes of 2004 (AB 2628) h. Completed – Chapter 857, Statutes of 2004 (SB 1307) 6. Evaluated clinic licensing. <ol style="list-style-type: none"> i. March 2005 – Initiated. j. October 2005 - Draft legislation prepared and presented to the Legislation and Regulation Committee